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TAJIKISTAN

SNAPSHOT

Perseverance Brings Justice

USAID Legal Aid Centers Help Female Farmers Reclaim Rights to Land



Photo: Land Reform Project

Gulbahor (left), chairwoman of a farm, successfully defended her land rights in court with help from Director of Legal Aid Nodira Sidykova (right) and the staff of a USAID-supported Legal Aid Center in Spitamen, Tajikistan.

Local legal aid centers supported by USAID advocate on behalf of disenfranchised Tajik farmers. After receiving support and assistance from a legal aid center, Gulbahor has gone on to serve as a rural land activist and advocate for the rights of other rural land users.

Gulbahor knows what it means to fight for land use rights. In 2007 she became the chairwoman of a 50-member farm in northern Tajikistan, which was created after a state-owned collective farm was reorganized. As part of the reorganization process, the new farm was saddled with some \$40,000 of the former state-owned farm's debt.

One of the farm's members, a well-connected businessman, used his influence to persuade local authorities to improperly reassign nearly half of the farm's land directly to him. The businessman took control of the farm's best land, kicked off the members working those areas (nearly all women), and improperly structured legal documents to leave the farm holding the entire \$40,000 of inherited debt.

In hopes of reclaiming the land, Gulbahor submitted numerous requests to local authorities to review the documents granting the businessman rights to the land. After repeated denials, Gulbahor eventually obtained the documents, which were clearly fraudulent, but the authorities refused to take action. Gulbahor then turned to Nodira Sidykova and the USAID Land Reform and Market Development project, and its legal aid center. With this support and her own determination, Gulbahor gained the rights to her farm's land back — and much more.

Despite losing in both the court of first and second instance, Gulbahor, Nodira, and the legal aid center persevered and brought the case all the way to the Higher Economic Court, which decided in Gulbahor's favor and ordered the legal rights to the land returned to the farm. The court also found that the businessman had improperly earned profits from the land during the three-year legal dispute and directed \$17,000 of the businessman's revenues to pay down the farm's debt.

Through this process, Gulbahor acquired so much knowledge about land use rights that she decided to help other farmers. She is now one of the project's 62 rural land activists. The land activists have helped the project's 10 legal aid centers train more than 8,000 farmers on land use rights, mediate 77 land-related disputes, reorganize 47 farms, and successfully defend farmers' rights in 35 of 37 completed court cases during the project's first year of grant activity.